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EXAMINER

WANG, JIN CHENG

| ART UNIT | PAPER NUMBER |
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2672

DATE MAILED: 08/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/982,481

Applicant(s)

HAO ET AL.

Examiner

Jin-Cheng Wang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: On page 4, line 17, “of each of each” should be “of each”.
2. The applicant or their representatives are urged to review the specification and submit corrections for all mistakes of a grammatical, clerical, or typographical nature.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 10, 20 and 30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Where applicant acts as his or her own lexicographer to specifically define a term of a claim contrary to its ordinary meaning, the written description must clearly redefine the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to so redefine that claim term. *Process Control Corp. v. HydReclaim Corp.*, 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999). The term “a pixel bar chart” in claims 10, 20 and 30 is used by the claim to mean “a distribution graph”, while the accepted meaning is “a bar chart.” The term is indefinite because the specification does not clearly redefine the term.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Tabei et al. U.S. Pat. No. 5,929,863 (hereinafter Tabei).

7. Claim 1:

Tabei teaches a method for arranging data, said method comprising:

a) receiving said data comprising a plurality of records, each said record having a plurality of attributes (e.g., figure 3);

b) determining a set of attributes selected from said plurality of attributes, said set of attributes for placement of said plurality of records in a graphically displayable array, said graphically displayable array comprising a plurality of data points, each said data point representing one record of said plurality of records (e.g., figure 3, 11 and 12; column 10, lines 4-67; column 11, lines 1-22);

c) arranging said plurality of records to construct said graphically displayable array for presenting said data in a format for detecting relationships between said plurality of records (e.g., figure 3, 11 and 12; column 10, lines 4-67; column 11, lines 1-22).

Claim 2:

The claim 2 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of said set attributes comprising at least one dividing attribute, a first ordering

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attribute corresponding to a first axis, a second ordering attribute corresponding to a second axis, and a visual indicator attribute corresponding to a visual indicator.

However, Tabei further discloses the claimed limitation of said set attributes comprising at least one dividing attribute, a first ordering attribute corresponding to a first axis, a second ordering attribute corresponding to a second axis, and a visual indicator attribute corresponding to a visual indicator (e.g., figures 11 and 12; column 10, lines 4-67; column 11, lines 1-22).

Claim 3:

The claim 3 encompasses the same scope of invention as that of claim 2 except additional claimed limitation that said step c) comprises sorting said plurality of records by a first dividing attribute, said first dividing attribute corresponding to said first axis, and partitioning said plurality of records into groups according to said first dividing attribute.

However, Tabei further discloses the claimed limitation of that said step c) comprises sorting said plurality of records by a first dividing attribute, said first dividing attribute corresponding to said first axis, and partitioning said plurality of records into groups according to said first dividing attribute (e.g., figures 11 and 12; column 10, lines 4-67; column 11, lines 1-22).

Claim 4:

The claim 4 encompasses the same scope of invention as that of claim 3 except additional claimed limitation of sorting said records of each said group according to said first ordering attribute and said second ordering attribute; and applying said visual indicator to each of said plurality of records according to said visual indicator attribute.

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However, Tabei further discloses the claimed limitation of sorting said records of each said group according to said first ordering attribute and said second ordering attribute; and applying said visual indicator to each of said plurality of records according to said visual indicator attribute (e.g., figures 11 and 12; column 10, lines 4-67; column 11, lines 1-22).

Claim 5:

The claim 5 encompasses the same scope of invention as that of claim 3 except additional claimed limitation of sorting said records of each of said groups according to a second dividing attribute, said second dividing attribute corresponding to said second axis, and portioning said records of each of said groups into sub-groups according to said second dividing attribute; sorting said records of each said sub-group according to said first ordering attribute and said second ordering attribute; and applying said visual indicator to each of said plurality of records according to said visual indicator attribute.

However, Tabei further discloses the claimed limitation of sorting said records of each of said groups according to a second dividing attribute, said second dividing attribute corresponding to said second axis, and portioning said records of each of said groups into sub-groups according to said second dividing attribute; sorting said records of each said sub-group according to said first ordering attribute and said second ordering attribute; and applying said visual indicator to each of said plurality of records according to said visual indicator attribute (e.g., figures 11 and 12; column 10, lines 4-67; column 11, lines 1-22).

Claim 6:

The claim 6 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of each said data point being represented by a pixel on a display.

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However, Tabei further discloses the claimed limitation of each said data point being represented by a pixel on a display (e.g., figure 12).

Claim 7:

The claim 7 encompasses the same scope of invention as that of claim 2 except additional claimed limitation of said first axis being a horizontal axis.

However, Tabei further discloses the claimed limitation of said first axis being a horizontal axis (e.g., figure 12).

Claim 8:

The claim 8 encompasses the same scope of invention as that of claim 2 except additional claimed limitation of said second axis being a vertical axis.

However, Tabei further discloses the claimed limitation of said second axis being a vertical axis (e.g. figure 12).

Claim 9:

The claim 9 encompasses the same scope of invention as that of claim 2 except additional claimed limitation of said visual indicator being a color.

However, Tabei further discloses the claimed limitation of said visual indicator being a color (e.g., figure 12).

Claim 10:

The claim 10 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of said graphically displayable array being a pixel bar chart.

However, Tabei further discloses the claimed limitation of said graphically displayable array being a pixel bar chart (e.g., figure 12).

8. Claim 11-20:

The claim 11-20 encompasses the same scope of invention as that of claims 1-10 except additional claimed limitation of a computer system comprising a bus, a display device coupled to said bus; a computer-readable memory coupled to said bus; and a processor coupled to said bus, said processor for executing a method for arranging data. However, Tabei further discloses the claimed limitation of a computer system comprising a bus, a display device coupled to said bus; a computer-readable memory coupled to said bus; and a processor coupled to said bus, said processor for executing a method for arranging data (e.g., figures 1 and 6).

9. Claim 21-30:

The claim 21-30 respectively encompasses the same scope of invention as that of claims 1-10 except additional claimed limitation of a computer-readable medium having computer-readable program code embodied therein for causing a computer system to perform a method for arraying data. However, Tabei further discloses the claimed limitation of a computer-readable medium having computer-readable program code embodied therein for causing a computer system to perform a method for arraying data (e.g., figures 1, 2 and 6; column 4, lines 5-10).

Conclusion

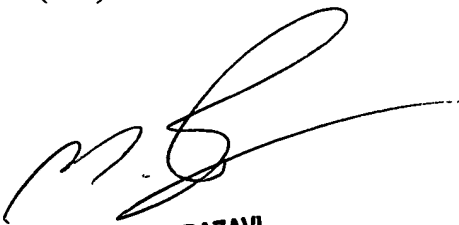
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jin-Cheng Wang whose telephone number is (703) 605-1213. The examiner can normally be reached on 8:00 AM - 4:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-6606 for regular communications and (703) 308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 395-3900.

jcw
August 19, 2003



MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600